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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/750,739	12/30/2003	Takashi Aoki	14225.9US01	1838	
52835 7	35 7590 04/12/2006		EXAMINER		
HAMRE, SCHUMANN, MUELLER & LARSON, P.C.			DUNN, D	DUNN, DAVID R	
	P.O. BOX 2902-0902 MINNEAPOLIS, MN 55402		ART UNIT	PAPER NUMBER	
	•		3616		
			DATE MAILED: 04/12/2006	i i	

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)		
	10/750,739	AOKI ET AL.		
Office Action Summary	Examiner	Art Unit		
	David Dunn	3616		
The MAILING DATE of this communication ap Period for Reply	pears on the cover sheet with the c	orrespondence address		
A SHORTENED STATUTORY PERIOD FOR REPL WHICHEVER IS LONGER, FROM THE MAILING D.  - Extensions of time may be available under the provisions of 37 CFR 1. after SIX (6) MONTHS from the mailing date of this communication.  - If NO period for reply is specified above, the maximum statutory period Failure to reply within the set or extended period for reply will, by statut Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b).	OATE OF THIS COMMUNICATION 136(a). In no event, however, may a reply be tin will apply and will expire SIX (6) MONTHS from e, cause the application to become ABANDONE	N. nely filed the mailing date of this communication. D (35 U.S.C. § 133).		
Status				
Responsive to communication(s) filed on 30 J      This action is FINAL. 2b) ☐ This      Since this application is in condition for allowed closed in accordance with the practice under the second seco	s action is non-final.  ance except for formal matters, pro			
Disposition of Claims				
4) ⊠ Claim(s) 1 and 3 is/are pending in the applica 4a) Of the above claim(s) is/are withdra 5) □ Claim(s) is/are allowed. 6) ⊠ Claim(s) 1 and 3 is/are rejected. 7) □ Claim(s) is/are objected to. 8) □ Claim(s) are subject to restriction and/or	wn from consideration.			
Application Papers				
9) The specification is objected to by the Examina 10) The drawing(s) filed on is/are: a) accomposed and applicant may not request that any objection to the Replacement drawing sheet(s) including the correct 11) The oath or declaration is objected to by the E	cepted or b) objected to by the lead of a drawing(s) be held in abeyance. Section is required if the drawing(s) is objection.	e 37 CFR 1.85(a). jected to. See 37 CFR 1.121(d).		
Priority under 35 U.S.C. § 119				
12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) All b) Some * c) None of:  1. Certified copies of the priority documents have been received.  2. Certified copies of the priority documents have been received in Application No.  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.				
Attachment(s)  (1) Notice of References Cited (PTO-892)  2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08 Paper No(s)/Mail Date	4) Interview Summary Paper No(s)/Mail Da 5) Notice of Informal P 6) Other:			

#### DETAILED ACTION

This Office Action is responsive to the amendment filed January 30, 2006.

### Claim Objections

1. Claim 1 is objected to because of the following informalities: in claim 1, line 4, "throught" should be --through--. Appropriate correction is required.

## Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.
- 3. Claims 1 and 3 are rejected under 35 U.S.C. 102(b) as being anticipated by Wallner et al. (US 6,220,625).

Wallner et al. discloses an occupant restraining system, in which an airbag includes a plurality of cells (see Figure 5) branching downward from a gas distribution path (along top portion of airbag; see location of fill tube 32 in Figure 1), gas generated by an inflator (24; Figure 1), wherein at least two adjacent ones of the cells inflated along an inner surface of a pillar; see Figures 1 and 5) have axes thereof extending parallel with each other (see

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three cells to the left of "192" in Figure 5), said adjacent ones of the cells each comprising an upper portion which extends from the gas distribution path downwardly in a vertical direction (see upper, rightmost portion of cells to the left of "192" wherein the upper portion extends downward from the gas distribution path), and a lower portion which extends from a lower end of the upper portion in a direction inclined with respect to both of an extension direction of the pillar and the vertical direction (lower portion is inclined, i.e., deviates from, the vertically extending portion and the pillar direction). The airbag includes another set of cells which are inclined with respect to another pillar (see far right pillar).

4. Claim 1 is rejected under 35 U.S.C. 102(e) as being anticipated by Aoki et al. (US 6,843,502)

The applied reference has a common assignee with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention "by another," or by an appropriate showing under 37 CFR 1.131.

Aoki et al. discloses an occupant restraining system, in which an airbag includes a plurality of cells (see Figure 3) branching downward from a gas distribution path (29), gas generated by an inflator (30), wherein at least two adjacent ones of the cells inflated along an inner surface of a pillar (see pillar 12) have axes thereof extending parallel with each other (28c, 28d), said adjacent ones of the cells each comprising an upper portion which extends from the gas distribution path downwardly in a vertical direction (see upper portions of 28c, 28d), and a

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lower portion which extends from a lower end of the upper portion in a direction inclined with respect to both of an extension direction of the pillar and the vertical direction (see inclined bends in 28c, 28d).

## Response to Arguments

5. Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

#### Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, THIS ACTION IS MADE FINAL. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Dunn whose telephone number is 571-272-6670. The examiner can normally be reached on Mon-Fri, 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Dickson can be reached on 571-272-6669. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

> Dunn Primary Examiner Art Unit 3616